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Attorney Docket No. 0621.0166C

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of **Brian Kelly et al.**

Serial No.: **09/888,582**

Examiner: **S. Harris** MAY 19 2003

Confirmation No.: **9519**

Art Unit: **3636**

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**GROUP 3600**  
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Filed: **June 26, 2001**

MAY 14 2003

For: **Child Seat**

OFFICE OF PETITIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF A PETITION FOR WITHDRAWAL OF THE HOLDING  
OF ABANDONMENT UNDER 37 CFR 1.181(a)**

Enclosed are the following documents in response to the Notice of Abandonment mailed April 17, 2003 for the above-identified application:

- ☒ Petition For Withdrawal of the Holding of Abandonment
- ☒ Copy of Postcard Verifying December 30, 2002 filing of Response and IDS
- ☒ Copy of Transmittal Form for the Response and IDS filed on December 30, 2002
- ☒ Copy of the Amendment and Request for Reconsideration filed on December 30, 2002 in the USPTO
- ☒ Copy of Information Disclosure Statement under 37 CFR §1.97(c) filed on December 30, 2002 in the USPTO
- ☒ Copies of PTO Form 1449, with 3 references cited, and the EPO search report as filed on December 30, 2002 in the USPTO
- ☒ Copies of the Authorization for the Commissioner to Charge Deposit Account No. 50-0310 for \$128.00 (\$110 for the 1-month Extension of Time and \$18.00 in additional claims fees) as filed on December 30, 2002 in the USPTO
- ☒ Revocation, New Power, and Change of Correspondence Address by Assignee
- ☒ Return receipt postcard
- ☐ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the total fee as calculated below
- ☐ Other:

The fee has been calculated as follows:

	NO. OF CLAIMS	No. Previ usly Paid For	EXTRA CLAIMS	RATE	FEE
Total Claims	37	- 37 = 0	0	x \$18.00	0
Independent Claims	4	- 4 = 0	0	x \$84.00	0
If multiple dependent claims are presented, add \$280.00					0
Total Fees Due					0
<input type="checkbox"/> Applicant claims Small Entity Status (subtract 50% of Total Application Fee)					0
Other fees: (specify)					0
<b>TOTAL FEE DUE</b>					0


- ☐ A check for the total fee is attached.
- ☐ Please charge \$ to Deposit Account No. 05-0460 for the total fee. This paper is being submitted in duplicate.
- ☒ The Commissioner is hereby authorized to charge any additional appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 05-0460.

Dated: May 9, 2003

**EDELL, SHAPIRO & FINNAN, LLC**  
**CUSTOMER NO. 27896**  
1901 Research Boulevard, Suite 400  
Rockville, MD 20850  
(301) 424-3640

By:

Respectfully submitted by  
**EDELL, SHAPIRO & FINNAN, LLC**

  
Howard R. Richman  
Reg. No. 41,451

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MAY 19 2003  
GROUP 3600

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re Application of: Brian S. KELLY, et al.

Application No.: 09/888,582

Filed: December 27, 2002

Group Art Unit: 3636

Examiner: S. Harris

For: **CHILD SEAT**

1. Amendment Transmittal
2. Amendment and Request for Reconsideration
3. Information Disclosure Statement under 37 C.F.R. §1.97(c)
4. PTO Form 1449 (with 3 references cited, and with EP Search Report)
5. Authorization for Commissioner to charge Deposit Account No. 50-0310 \$128.00, representing \$110.00 for a one-month extension fee and \$18.00 additional claims fee

Dated: **December 30, 2002**

Attorney Docket No.: 044321-0257

WGB:cvh



DOCKETED

By *EB* Date *12-31-02*



PATENT  
Attorney Docket No. 044321-0257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Brian S. KELLY et al.

Application No.: 09/888,582

Filed: June 26, 2001

For: Child Seat

Commissioner for Patents  
Washington, D.C. 20231

Examiner: S. Harris

Group Art Unit: 3636

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GROUP 3600

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the non-final Office Action dated September 11, 2002.
2. Additional papers enclosed:
  - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
  - ☐ Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Prior Patent
  - ☒ Information Disclosure Statement
  - ☒ Form PTO-1449, 3 references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension of time fee due with this request: **\$110.00**

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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**MAY 1 4 2003**

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	37	minus	36	1	x \$18 each=	+ \$ 18.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$84 each=	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	- \$ 0.00
SUB-TOTAL =						\$ 18.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 18.00

6. Fee Payment


[ ] No fee is to be paid at this time.

[X] The Commissioner is hereby authorized to charge the amount of **\$128.00** representing One-Month Extension of Time Fee of **\$110.00** and Additional Claims fee of **\$18.00**.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

Dated: December 30, 2002

By:   
William G. Battista, Jr.  
Reg. No. 37,525

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